

CASE NUMBER: CV 11-00257LEK-RLP

CASE NAME: Equal Employment Opportunity Commission v.
Global Horizons, Inc. et al

ATTYS FOR PLA:

ATTYS FOR DEFT:

INTERPRETER:

JUDGE: Leslie E. Kobayashi REPORTER:

DATE: 06/04/2014 TIME:

COURT ACTION: EO: COURT ORDER DENYING THE EEOC'S REQUESTS FOR APPROVAL OF CONSENT DECREES AND ORDER TO SHOW CAUSE

On June 3, 2014, Plaintiff the United States Equal Employment Opportunity Commission ("the EEOC") filed four documents, each titled "Consent Decree" and addressing one of the farm defendants in this case. [Dkt. nos. 700-03.] Each Consent Decree is signed by counsel for the EEOC and one or more persons with authority to act on behalf of the farm defendant. Each Consent Decree includes a proposed order for this Court to sign, approving of the Consent Decree and ordering compliance therewith.

Local Rule 100.9.1 addresses the submission of proposed orders. It states: "Proposed orders are to be submitted separately from the underlying application, request, or motion and shall be submitted by e-mail in a format compatible with Word or Word Perfect, unless directed by the court to be submitted differently."

The EEOC did not file an application, request, or motion for approval of any of the Consent Decrees. Further, the EEOC filed the Consent Decrees and proposed orders prior to submitting the proposed orders to this Court for review and approval. This Court did not give the EEOC leave to file the Consent Decrees and proposed orders prior to obtaining this Court's signature on the proposed orders. In fact, upon a telephonic inquiry from counsel for the EEOC, this Court's staff expressly instructed counsel **not to file** the Consent Decrees and proposed orders. This Court instructed counsel: 1) to submit the Consent Decrees and proposed orders to kobayashi_orders@hid.uscourts.gov for review; and 2) if this Court approved the Consent Decrees and signed the associated orders, this Court would file the Consent Decrees and orders.

Thus, to the extent that the EEOC's filing of the four Consent Decrees constitutes requests for this Court's approval thereof, the EEOC's requests are HEREBY DENIED, and the Consent Decrees are HEREBY DEEMED WITHDRAWN. If the EEOC wishes to obtain this Court's approval of the Consent Decrees, the EEOC must resubmit the documents in accordance with the applicable Local Rules and this Court's instructions.

In addition, this Court ORDERS counsel for the EEOC to show good cause why this Court should not impose sanctions upon counsel for failing to follow both the applicable Local Rules and this Court's oral instructions. Counsel shall appear at a hearing on this Order to Show Cause on **Monday, August 25, 2014, at 10:30 a.m.** This Court also ORDERS counsel to file a response to this Order to Show Cause, not to exceed five pages, by no later than **June 12, 2014**. If counsel's response establishes good cause why this Court should not impose sanctions, this Court will vacate the hearing on the Order to Show Cause.

IT IS SO ORDERED.

Submitted by: Theresa Lam, Courtroom Manager